

REMARKS

This Application has been reviewed in light of the Office Action dated June 5, 2007 (“*Office Action*”). Claims 1-47 are pending in the Application, and the Examiner rejects all pending claims. Applicants respectfully request reconsideration and allowance of all pending claims in view of the following remarks.

I. Title Objection

In the *Office Action*, the Examiner objects to the Title. (*Office Action*, p. 2). The Examiner explains this objection, stating:

The title of the invention is objected to because there are only method claims in the application. The title should be changed to “A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM” OR “A METHOD FOR A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM.”

(*Id.*)

In a Response filed on February 28, 2007, Applicants changed the Title to “A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM.” (Applicants’ Response filed February 28, 2007, pp. 2, 12). This previously amended Title complies with the Title requested by the Examiner.¹

Accordingly, Applicants respectfully request that the objection to the Title be withdrawn.

II. Section 103 Objections

The Examiner rejects Claims 1-47 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Serial No. 2002/0082969 issued to O’Keefe et al. (“*O’Keefe*”) in view of U.S. Patent No. 6,260,024 issued to Shkedy (“*Shkedy*”) and further in view of U.S. Patent No. 6,067,532 issued to Gebb (“*Gebb*”). Applicants respectfully submit that the combination of references does not disclose, teach, or suggest each and every feature of Applicants’ claims.

¹ On August 23, 2007, Examiner Colbert participated in a brief interview with Juliet Mitchell Dirba, an Attorney for Applicants. During this conversation, Examiner Colbert indicated that, in order for this objection to be withdrawn, Applicants simply needed to point out that Applicants had already amended the title in a previously filed response.

Among other aspects, the proposed *O'Keefe-Shkedy-Gebb* combination fails to disclose "determining a first set of entries in an activity, at least one entry to be determined a winning entry based on an occurrence of an event associated with the activity," as recited in Claim 1 of the present Application.

As teaching these claimed aspects, the *Office Action* relies on *Gebb*, column 2, lines 29-50, arguing that "one activity - the consignment of tickets." (*Office Action*, p. 4 [sic]). Accordingly, Applicants assume that the Examiner points to: (1) *Gebb*'s consignment of tickets as teaching the claimed "activity" and (2) the tickets themselves as teaching the claimed "first set of entries in an activity."

In general, *Gebb* discloses "an automated system for posting event tickets for sale, allowing purchase of the tickets . . . and distributing new tickets to the new owner." (*Gebb*, col. 1, ll. 5-9). The system "includes a method for accepting tickets from individual sellers, posting the tickets on a central database for redistribution, establishing a market price based on demand and/or a service fee . . . and redistributing the tickets to new buyers." (*Id.* at col. 2, ll. 13-19). However, *Gebb* fails to teach or suggest, "at least one [ticket] to be determined a winning [ticket] based on an occurrence of an event associated with the [consignment of tickets]," as would be required by Claim 1. Moreover, *Gebb*'s disclosure fails to even include any the terms "win," "winner," or "winning."

Thus, *Gebb* fails to teach or suggest "determining a first set of entries in an activity, at least one entry to be determined a winning entry based on an occurrence of an event associated with the activity," as required by Claim 1. *O'Keefe* and *Shkedy* fail to remedy the deficiencies of *Gebb*.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1. Dependent Claims 2-47 incorporate the features and operations recited in Claim 1, which Applicants have shown to be allowable. Accordingly, dependent Claims 2-47 are not obvious over the proposed *O'Keefe-Shkedy-Gebb* combination at least because Claims 2-47 include the limitations of their respective independent claims. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-47.

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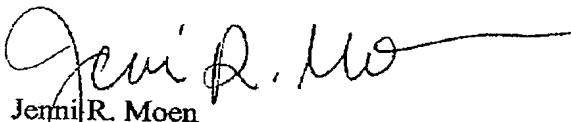
CONCLUSION

Applicants respectfully submit that the present Application is in condition for allowance and favorable notice thereof is solicited. Applicants respectfully request allowance of Claims 1-47.

No fees are believed to be due; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants respectfully request that the Examiner call their attorney at the number listed below.

Respectfully submitted,
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